

## COMPLAINT 2009 – NO. 1

In Re Short

### DETERMINATION OF REASONABLE CAUSE– ORDER OF DISMISSAL

June, 2009

#### I. Nature of the Complaint

The complaint alleges that Representative Shelly Short (Respondent) violated **RCW 42.52.180** (use of public resources for political campaigns) by posting legislative contact information on her campaign website and providing multiple links from that site to legislative websites. The Board has both personal and subject-matter jurisdiction.

#### II. Determination of Facts

Respondent has stipulated to the following:

1. She registered and used a website to assist her in her 2008 legislative campaign. She began her first term as a legislator in January, 2009. The website allowed users to leave messages in a private e-mail account. Users continued to leave e-mail messages in this account after the conclusion of the campaign and through part of the 2009 legislative session.
2. A family member would check for messages in this account and forward legislative e-mail to Respondent.
3. The Respondent states that the possibility of legislative related e-mail in this account being missed or overlooked prompted her to place legislative contact information on the website.

In addition, the Board has established that Respondent immediately removed the legislative contact information and the multiple links from the campaign website when informed of the complaint and advised that board opinions had prohibited both practices.

#### III. Determinations of Law

1. Use of legislative contact information on campaign websites constitutes use of public resources for political campaigns in violation of **RCW 42.52.180**; **Complaint Opinion 2002 – No. 2**, and other opinions.

2. A legislator may provide for a single link from their campaign websites to a legislative website; **Advisory Opinion 2000 – No. 2**. Respondent was not required to remove all links.
3. **RCW 42.52.425** provides that the Board may issue an order of dismissal if:  
...
  - c. Any violation that may have occurred does not constitute a material violation because it was inadvertent and minor, or has been cured, and after consideration of all the circumstances, further proceedings would not serve the purposes of this chapter.

#### IV. Conclusion and Order

This case has resulted in a determination by the Board that the issues involved here, legislative contact information and multiple links relative to campaign websites, are worthy of revisiting. Until that occurs and unless any new board analysis is applied to these issues, the prohibitions identified in this complaint opinion remain in full force and effect.

Based upon a review of the complaint, the facts of the case and the Respondent's stipulation, the Board concludes there is reasonable cause to believe there has been a violation of **RCW 42.52.180**.

However, the violation was inadvertent, minor, and has been cured and after consideration of all the circumstances any further proceedings would not serve the purposes of the Ethics Act.

IT IS HEREBY ORDERED that the complaint is dismissed.

David R. Draper, Chair  
Date: 6/22/09